

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

IN THE MATTER OF THE COMPLAINT
OF THE SCANDIES ROSE FISHING
COMPANY LLC AND MATTSSEN
MANAGEMENT LLC, AS OWNERS
AND/OR OPERATORS OF THE VESSEL
SCANDIES ROSE, OFFICIAL NUMBER
602351, FOR EXONERATION FROM
AND/OR LIMITATION OF LIABILITY

IN ADMIRALTY

Case No. 3:20-cv-05376-BHS

NOTICE OF SETTLEMENT

COME NOW the parties to this action and notify the Court that this matter has been settled and resolved between Limitation Plaintiffs and Claimants. Settlement funds will soon be received by counsel for Limitation Plaintiffs. Claimants have disputes between themselves with respect to their individual claims. The allocation of amounts between claimants are disputed. Due to the complexity of the litigation and because there is a minor involved in the proposed settlement, it will may take several months to finalize the settlement process between the Limitation Plaintiffs and Claimants. Accordingly the parties request that:

- 1) All pending dates, including the trial date, be stricken;
- 2) That the parties advise the Court on or before January 3, 2021, of the status of the settlement process.

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2 Attorney Gerald Markham who represents three estates has not signed this
3 notice. Mr. Markham does agree that as between Limitation Plaintiffs and claimants that a
4 settlement has been reached but is subject to Alaska Superior Court approval of that settlement
5 as provided in the Parties settlement agreement that states:

6 "In anticipation that this offer will be accepted and policy limits will be paid, the
7 claimants will submit the appropriate paperwork for the Alaska Superior court's
8 minor approval and payment of any share to any minor. This offer is further
9 conditioned on the Court's approval that settlement within policy limits is in the
10 best interests of the child."

11 And while he has every expectation of the Alaska Superior Court approval that this settlement
12 within policy limits is in the best interests of the child' will be forth coming (which would allow
13 him to represent that as between Limitations Plaintiff and Claimants a settlement has been
14 reached) he feels he cannot sign this Notice which says settlement has been reached, when this
15 aspect of the case remains. He is further hesitant to sign any notice that suggests that this court
16 has no further jurisdiction over the parties until, as their settlement agreement provides, the
17 Claimants review the Limitation Plaintiff's deductions from the policy and the exact sum due
18 under the agreement have been determined, the settlement funds have been paid and the
19 releases that limitation Plaintiff proposes is signed by all parties pursuant to the parties'
20 agreement and an allocation between claimants to those funds remain undecided. With regard
21 to the items number 1-2 he has authorized Limitation Plaintiff to state he agrees.
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23
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1 DATED this 2nd day of November, 2020.

2 HOLMES WEDDLE & BARCOTT, P.C.

3
4 /s/ Michael A. Barcott

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17 /s/ Kevin Coluccio

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Attorney for Claimant Estate of Seth Rousseau-Gano

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day
of November, 2020, a true and
correct copy of the foregoing was served via
CM/ECF to:

Attorneys for the Estate of Arthur Ganacias, the Estate of Brock Rainey, and the Estate of David Leigh Cobban

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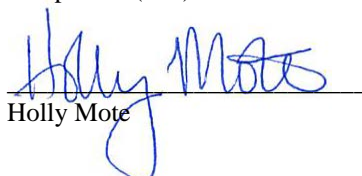
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Holly Mote

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